

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re	)	
	)	Chapter 11
	)	
Delphi Corporation, <u>et al.</u>	)	Case No. 05-44481 (RDD)
	)	Jointly Administered
Debtors.	)	
	)	

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**ORDER GRANTING MOTION OF APPALOOSA MANAGEMENT L.P. PURSUANT  
TO RULE 9016 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE FOR AN  
ORDER QUASHING THE DEBTORS' SUBPOENA FOR TESTIMONY AT TRIAL  
DIRECTED TO DAVID A. TEPPER**

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Upon the motion, dated March 20, 2006 (the "Motion"), for entry of an order pursuant to Rule 45(c)(3)(A) of the Federal Rules of Civil Procedure, as made applicable by Rule 9016 of the Federal Rules of Bankruptcy Procedure, quashing the subpoena for testimony at trial served by Delphi Corporation and its affiliated debtors and debtors in possession (collectively, the "Debtors") upon David A. Tepper; and it appearing that the Court has jurisdiction over this matter; and it appearing that due notice of the Motion has been provided and that no other or further notice need be provided; and the Debtors having filed opposition to the Motion; and the Court having held a hearing (the "Hearing") on the Motion on April 21, 2006; and upon the record of the Hearing, including the representations of counsel, and the admission of certain documents into evidence or discussed at the Hearing; and after due deliberation and sufficient cause appearing for quashing the subpoena for testimony at trial served by the Debtors upon David A. Tepper for the reason stated by the Court at the Hearing, it is hereby

ORDERED, that the Motion is hereby GRANTED; and it is further

ORDERED, that the subpoena for testimony at trial served by the Debtors upon David A. Tepper is hereby QUASHED pursuant to Fed. R. Civ. P. 45(c)(3)(A).

Dated: New York, New York  
March 22, 2006

/s/Robert D. Drain  
Robert D. Drain  
UNITED STATES BANKRUPTCY JUDGE